Michael J. Frevola Christopher R. Nolan HOLLAND & KNIGHT LLP 195 Broadway New York, NY 10007-3189 (212) 513-3200

ATTORNEYS FOR PLAINTIFF
GULF NAVIGATION HOLDING PJSC

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

GULF NAVIGATION HOLDING PJSC,

Plaintiffs,

-against-

DELFI S.A., IMPERIAL MARINE SERVICES, INTERNATIONAL MARINE SERVICES S.A. a/k/a IMS S.A., IMS GROUP, IMS OIL TRADING LTD., IMS CHARTERING, IMS BROKERING, IMS SHIP MANAGEMENT, IMS MANAGEMENT, STOLSHIP NAVIGATION CO. LTD., PRESTIGE MARITIME CORP., RAMOS ENTERPRISES LTD., EASY BIZ INVESTMENTS INC., GLORY NAVIGATION S.A., SETH TRADING, MELINDA HOLDINGS S.A., SKAWHEGAN ENTERPRISES INC., VINEHALL INVESTMENTS CO., and WHITE PEARL HOLDING S.A.,

Defendants.

STATE OF NEW YORK

) ss:

)

COUNTY OF NEW YORK

08 Civ. 3621 (DC)

AMENDED AFFIDAVIT
IN SUPPORT OF
ATTACHMENT

Michael J. Frevola, being duly sworn, deposes and says:

- 1. I am a member of the firm of Holland & Knight LLP, attorneys for plaintiff Gulf Navigation Holding PJSC ("Plaintiff"), and I am duly admitted to practice before the United States District Court for the Southern District of New York.
- 2. I am familiar with the facts and circumstances underlying this dispute and I am submitting this affidavit in support of the Verified Amended Complaint and the Amended Writ of Attachment.
- 3. Defendants Delfi S.A., Imperial Marine Services, International Marine Services S.A. a/k/a IMS S.A., IMS Group, IMS Oil Trading Ltd., IMS Chartering, IMS Brokering, IMS Ship Management, IMS Management, Stolship Navigation Co. Ltd., Prestige Maritime Corp., Ramos Enterprises Ltd., Easy Biz Investments Inc., Glory Navigation S.A., Seth Trading, Melinda Holdings S.A., Skawhegan Enterprises Inc., Vinehall Investments Co., and White Pearl Holding, S.A. ("Defendants") are not listed in the telephone directory of the principal metropolitan areas in this district, nor are they listed in the Transportation Tickler, a recognized commercial directory in the maritime industry.
- 4. Our office contacted the Secretary of State for the State of New York and was advised that none of the Defendants are New York business entities, nor are they foreign business entities authorized to do business in New York. While our search did reveal an active listing for an entity named similar to defendant IMS Group (apparently for insurance entity) and inactive listings for similarly named companies to defendants International Marine Services S.A. and IMS Management (listed with addresses on Long Island), none of these companies appear to

have any connection with the Greek-based companies which are defendants in this proceeding.

5. To the best of my information and belief, the Defendants cannot be found within this district or within the State of New York.

6. Based upon the facts set forth in the Amended Verified Complaint, I respectfully submit that the Defendants are liable to Plaintiff for the damages alleged in the Amended Verified Complaint, which amounts, as best as can be presently determined, to a total of US\$186,928.36, including estimated interest.

7. Upon information and belief, the Defendants have property, goods, chattels or effects within this jurisdiction, to wit: funds or accounts held in the name(s) of Defendants Delfi S.A., Imperial Marine Services, International Marine Services S.A. a/k/a IMS S.A., IMS Group, IMS Oil Trading Ltd., IMS Chartering, IMS Brokering, IMS Ship Management, IMS Management, Stolship Navigation Co. Ltd., Prestige Maritime Corp., Ramos Enterprises Ltd., Easy Biz Investments Inc., Glory Navigation S.A., Seth Trading, Melinda Holdings S.A., Skawhegan Enterprises Inc., Vinehall Investments Co., and White Pearl Holding, S.A. at one or more of the following financial institutions:

Bank of America, N.A.

Bank of China
The Bank of New York
Citibank, N.A.

Deutsche Bank Trust Company Americas
HSBC Bank USA, N.A.

JPMorgan Chase Bank, N.A.

UBS AG

Wachovia Bank, N.A.

Société Générale

Standard Chartered Bank

**BNP** Paribas

Calyon Investment Bank

American Express Bank

Commerzbank

ABN Amro Bank

Bank Leumi USA

Banco Popular

8. Plaintiff is, therefore, requesting that this Court, pursuant to Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, issue an amended writ of maritime attachment for an amount up to US\$186,928.36.

WHEREFORE, Plaintiff respectfully requests that the application for an amended writ of maritime attachment and garnishment be granted.

Michael Frevola

Sworn to before me this 19<sup>th</sup> day of May, 2008

Notary Public

Linda M. Wilkens
Notary Public, State of New York
No. 01W19672455
Oualified in Oueens County

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Certificate filed in New York County
Commission Expires September 30, 2010